

REMARKS

Claims 1-24 stand rejected under 35 U.S.C. §102(b) as being anticipated by Jung (WO97/17388). Applicants respectfully request reconsideration and withdrawal of this rejection for at least the following reasons.

The Examiner argues that several statements made in the broad disclosure of Jung add up to a single reference that anticipates the present invention. For example, the Examiner cites "...line 21, page 3" as evidencing "...acetoacetate esters made from C1-C3 alcohols".<sup>1</sup> However the cited passage, from *line 20*, reads as follows:

According to one preferred embodiment of the present invention *y and y' are both 0 and* R<sup>1</sup>, R<sup>2</sup>, R<sup>3</sup> and R<sup>4</sup> contain from 1 to 3 carbon atoms.<sup>2</sup>

Thus, the cited passage does not disclose an *acetoacetate* compound containing from 1 to 3 carbon atoms.

The Examiner further points to Example 9, which uses cetylacetoacetate, to show "mole ratios of acetoacetate to titanium of 3.4/1".<sup>3</sup> Cetyl alcohol is an alcohol containing 16 carbon atoms.<sup>4</sup> Accordingly, an acetoacetate ester of Cetyl alcohol, would not be an ester of an alcohol containing from 1 to 4 carbon atoms.

Therefore, the skilled artisan could not "at once envisage"<sup>5</sup> a polyisocyanate composition comprising titanium and an acetoacetate ester of an alcohol containing 1 to 4 carbon atoms, in which the molar ratio of Ti to acetoacetate ester is in the range of 1:2 to 1:8; or using such a complex for accelerating the binding of lignocellulosic materials, or for a process for binding lignocellulosic materials, from the disclosure of Jung.

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<sup>1</sup> Paper No. 9, page 2.

<sup>2</sup> Jung, page 3, lines 20-21. (*emphasis supplied*)

<sup>3</sup> Paper No. 9, page 2.

<sup>4</sup> See R.J. Lewis, Hawley's Condensed Chemical Dictionary, Twelfth Edition, Van Nostrand Reinhold Co., New York, 1993, at 246. (copy attached)

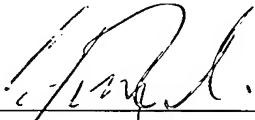
<sup>5</sup> See MPEP §2131.02

CONCLUSION

As all rejections have been addressed and overcome, it is respectfully submitted that the Application is in condition for allowance and a Notice to that effect is courteously solicited. If any questions remain, the Examiner is encouraged to call undersigned attorney to expedite the prosecution of this application.

Respectfully submitted,

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